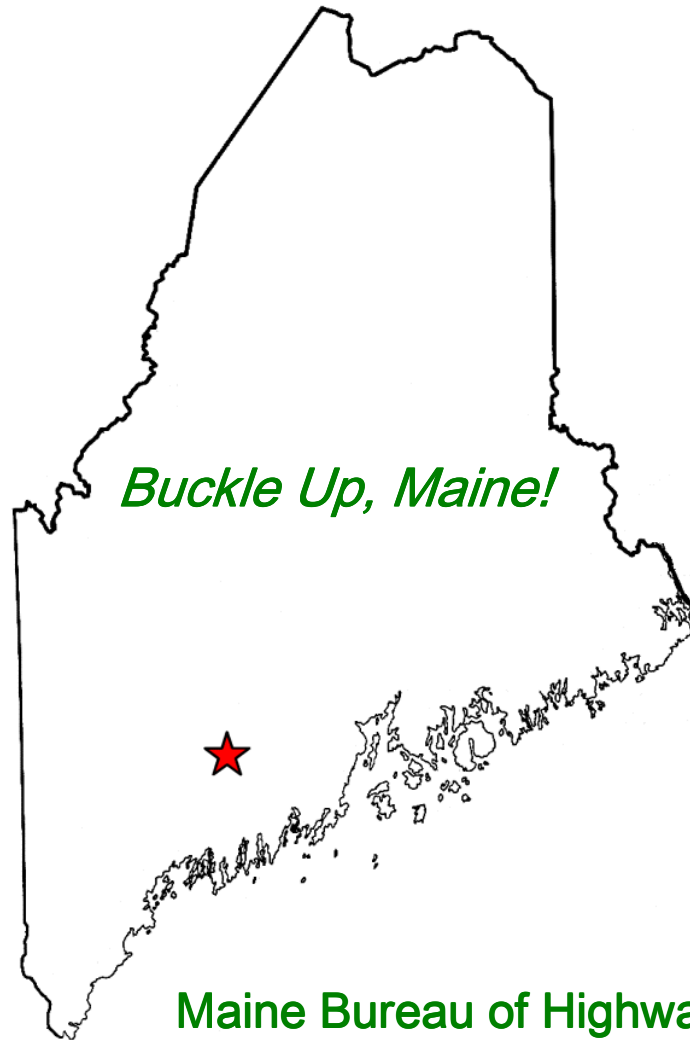


# Maine Highway Safety Plan

Federal Fiscal Year 2009



**Maine Bureau of Highway Safety**

*John Elias Baldacci, Governor*

*Anne H. Jordan, Commissioner,*

*Department of Public Safety and*

*Governor's Highway Safety Representative*

## Message from the Director

Maine continues to follow national trends for increased alcohol and speed-related crashes and fatalities. The 2009 Highway Safety Performance Plan details the State of Maine's strategies to achieve our goals of reducing fatalities, injuries and the costly incidence of property damage resulting from motor vehicle crashes. It also serves as our application for Section 402 Federal Funds for fiscal year 2009.

This Plan addresses the National priority program areas outlined by the National Highway Traffic Safety Administration and those identified by the Maine Bureau of Highway Safety. Activities to be undertaken in FFY 2009 will include:

- continuing our focus on increasing adult, teen and child safety restraint usage through support of the National "*Click It or Ticket*" Campaigns and child passenger safety technician training and educational outreach;
- various activities and programs that counter the incidence of impaired driving by adults and teens;
- continuing our focus on reducing the number of motorcycle fatalities through our partnerships with the Bureau of Motor Vehicles, Maine DOT, MTSC and various motorcycle rider associations;
- enhancing partnerships that increase our opportunity for data analysis and evaluation;

- increasing participation of law enforcement in our enforcement activities through use of a specialized liaison;
- working to decrease the incidence of speed related fatalities and crashes.

Special emphasis will be given to identifying more highway safety partners for focus in those areas of the state where data indicates the greatest problem in all behavioral highway safety areas. The Bureau continues to work with the MeDOT Strategic Highway Safety Plan and the MTSC Strategic Plan to be sure that all highway safety/traffic safety efforts compliment each other.

We are thankful for the continued participation and dedication of our law enforcement partners in assisting us with our highway safety efforts. Together we have increased the seat belt usage rate from 59.9% in 2004 to 83% in 2008. We appreciate the commitment of Governor Baldacci and the State Legislature to saving more lives on Maine highways by keeping highway safety a top priority and by working toward strengthening Maine laws for seat belts, ignition interlocks and distracted driving. Together we will make a difference.

Lauren V. Stewart, Director  
Bureau of Highway Safety

## About the Maine Bureau of Highway Safety

The Federal Highway Safety Act of 1966 directed the National Highway Traffic Safety Administration (NHTSA) and Federal Highway Administration (FHWA) of the United States Department of Transportation to jointly administer various highway safety programs and projects. This federal grant program provides funds administered through the Maine Department of Public Safety (MeDPS), Bureau of Highway Safety (MeBHS) to eligible entities to be used in part, for traffic safety education and enforcement to decrease the deaths and injuries that occur on Maine roads and highways.

MeBHS is tasked with the responsibility for effectively administering and utilizing Section 402 State and Community Highway Safety Funds and related grants received from NHTSA and FHWA. These funds are to be used for planning, implementing and evaluating short-term behavioral highway safety programs and projects with the intent that other sources of funding will sustain these programs over the long-term. The bureau is the leader in coordinating the safety efforts of federal, state and local organizations involved in Maine traffic safety. Our programs are intended to improve the human behavior of drivers, passengers, pedestrians and cyclists. Our goal is to ultimately reduce the number of fatalities, injuries and property damage caused by highway crashes.

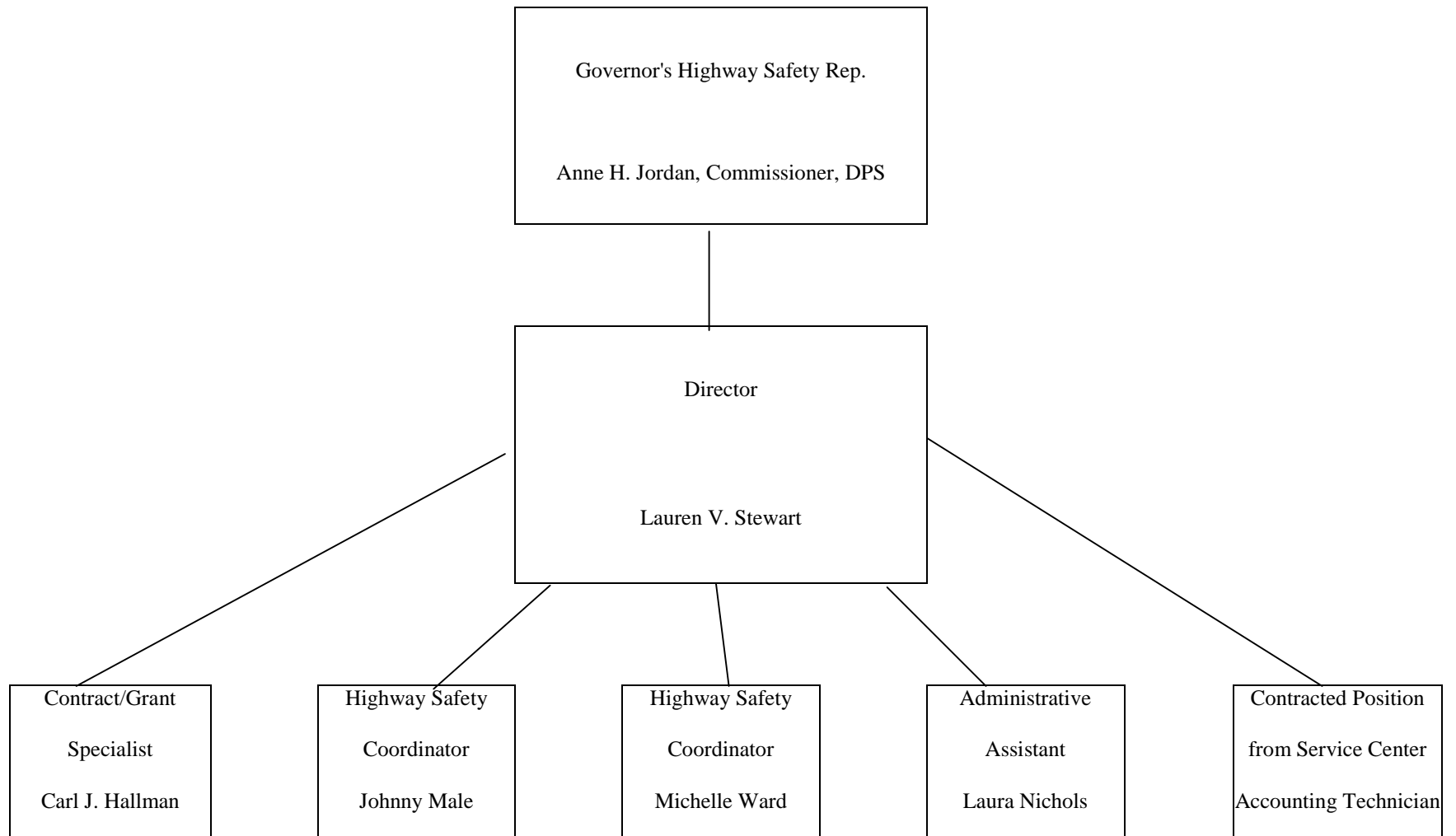
In addition to administering federal grant funds, the MeBHS is also responsible for:

- Managing Maine's Implied Consent Program. This is a statewide program that tests drivers suspected of being impaired by alcohol or other drugs. Maine's Implied Consent and Operating Under the Influence laws mandate that all drivers arrested for suspected OUI must take a blood alcohol test. Failure to do so results in even longer mandatory license suspension periods. The Maine Supreme Judicial Court has ruled that our law mandating the testing of all individuals involved in fatal accidents is both constitutional and enforceable.
- The Maine Driving Dynamics Program. This is a five-hour driver improvement course that allows for point reduction on a driver's record. Each year, approximately 5,000 people attend a Maine Driving Dynamics class.
- The Federal Fatal Analysis Reporting System (FARS). This system records data on fatal crashes in Maine for input into a larger national record-keeping system of statistical data. The FARS data is analyzed by MeBHS and the Maine State Police to determine enforcement priorities and schedules.

## Mission of the Bureau

To save lives and reduce injuries on the State's roads and highways through leadership, innovation, facilitation, project and program support, and in partnership with other public and private organizations.

## Highway Safety Organizational Chart



## Maine Facts



- Population of Maine in 2000: 1,321,574
- Land Area: 30,862 square miles
- Length of coastline: 3,500 miles
- Forest: 17 million acres
- Persons per square mile: 41.3
- Home ownership rate (2000): 71.6%
- Largest city by population: Portland
- 1,009,780 licensed drivers plus 96,998 licensed motorcyclists (2007)
- 1,542,691 registered vehicles
- State Capital: Augusta
- 16 Counties
- Nearly 500 municipalities
- 146 law enforcement agencies: 123 local agencies, 16 County Sherriffs offices, and 7 Maine State Police troops
- 5.2% under age 5; 78.5 % 18 years and over; 14.1% age 65 and over
- 96.6% white; .7% African American; .5% American Indian and Alaska Native; .8% Asian; .4% other; .9% Hispanic or Latino



## The Highway Safety Planning Process

The Bureau of Highway Safety provides leadership and financial resources that develop, promote and coordinate programs designed to influence public and private policy and to make systemic changes and heighten public awareness of highway safety issues. The highway safety problems outlined in this document were identified by analyzing available data that include traffic crashes, traffic citation information, OUI arrests, FARS data, CODES data, surveys and other input from state, county and local agencies interested in addressing highway safety issues. This analysis helps to identify when, where, why and to whom specific safety problems occur. We analyze our data using mapping and crash data capabilities from the Maine Department of Transportation, Injury data from Maine CDC, FARS, CODES, available NHTSA data, Maine Transportation Safety Coalition data and other data sources.

The Governor's Representative for Highway Safety, the MeBHS director and highway safety coordinators regularly attend meetings of the Maine Chiefs of Police Association, Maine Sheriffs Association, Maine Chiefs Traffic Safety Committee, EMS coordinators and others to further gather input on needs and potential solutions and to explain federal guidelines, MEBHS policy and the application process. In addition to the solicitation, MEBHS considers information developed by staff members through contacts with

grantees, potential grantees and other highway safety professionals and non-profit agencies.

Problem identification and solution development are ongoing throughout the year and are summarized below in the Planning Process Calendar.

#### Planning Process Calendar

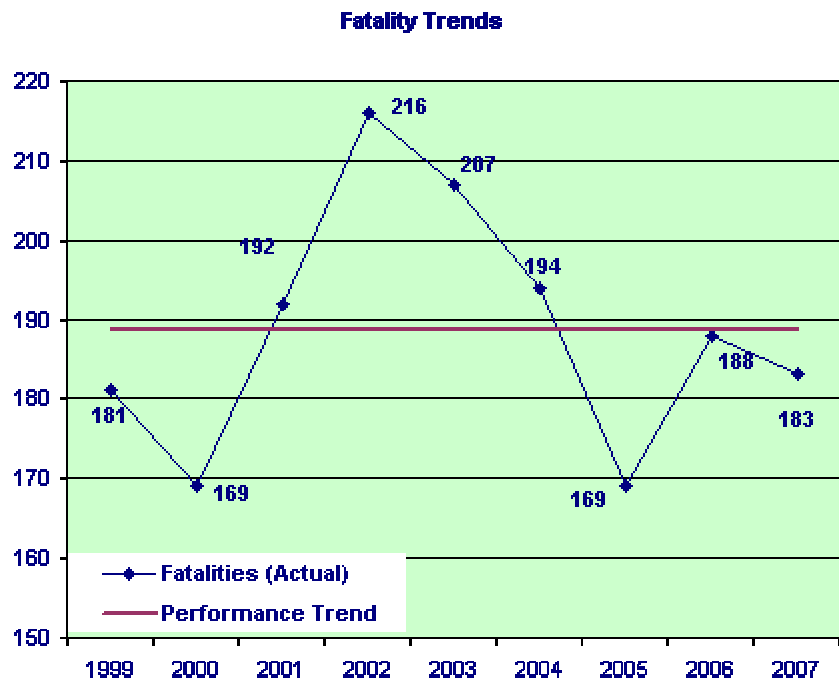
October 1– December 31	Begin implementation of projects approved by NHTSA for October 1 HSP
October 1– April 30	Initiate partnership meetings, obtain input and project ideas for future HSP planning and problem identification processes, evaluate and monitor project progress
April 1– September 1	Continue to evaluate programs and projects, begin closing out projects, begin HSP for next FFY utilizing problem ID and program ideas received October – April.
September 1	Annual HSP/402 Application due to NHTSA
September – December	Annual rollover and close out of FFY & Annual Report

## Crash Data / Trends

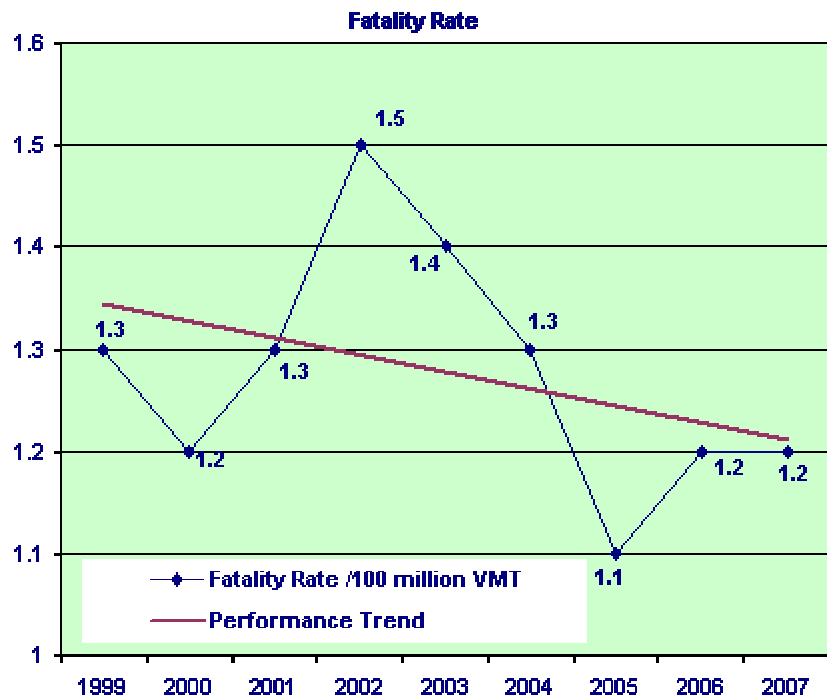
<b>Fatalities (Actual)</b>	<b>1999</b>	<b>2000</b>	<b>2001</b>	<b>2002</b>	<b>2003</b>	<b>2004</b>	<b>2005</b>	<b>2006</b>	<b>2007</b>
	181	169	192	216	207	194	169	188	183
<b>Fatality Rate /100 million VMT</b>	<b>1999</b>	<b>2000</b>	<b>2001</b>	<b>2002</b>	<b>2003</b>	<b>2004</b>	<b>2005</b>	<b>2006</b>	<b>2007</b>
	1.3	1.2	1.3	1.5	1.4	1.3	1.1	1.2	1.2
<b>Serious Injuries (Actual)</b>	<b>1999</b>	<b>2000</b>	<b>2001</b>	<b>2002</b>	<b>2003</b>	<b>2004</b>	<b>2005</b>	<b>2006</b>	<b>2007</b>
	1,298	1,271	1,222	1,237	1,091	1,119	1,030	996	978
<b>Fatality &amp; Serious Injury Rate/(100 million VMT)</b>	<b>1999</b>	<b>2000</b>	<b>2001</b>	<b>2002</b>	<b>2003</b>	<b>2004</b>	<b>2005</b>	<b>2006</b>	<b>2007</b>
	10.6	10.2	9.8	10.1	8.8	8.8	7.9	7.8	7.7
<b>Fatality Rate/100K Population</b>	<b>1999</b>	<b>2000</b>	<b>2001</b>	<b>2002</b>	<b>2003</b>	<b>2004</b>	<b>2005</b>	<b>2006</b>	<b>2007</b>
	14.4	14.2	14.9	16.8	16.1	14.7	12.7	14.2	13.8
<b>Fatal &amp; Serious Injury Rate/100K population</b>	<b>1999</b>	<b>2000</b>	<b>2001</b>	<b>2002</b>	<b>2003</b>	<b>2004</b>	<b>2005</b>	<b>2006</b>	<b>2007</b>
	118.5	113.3	109.4	112.9	100.9	99.8	90.7	89.5	88.1
<b>Alcohol Related Fatalities</b>	<b>1999</b>	<b>2000</b>	<b>2001</b>	<b>2002</b>	<b>2003</b>	<b>2004</b>	<b>2005</b>	<b>2006</b>	<b>2007</b>
	51	46	49	42	57	60	55	64	69
<b>Proportion of Alcohol Related Fatalities</b>	<b>1999</b>	<b>2000</b>	<b>2001</b>	<b>2002</b>	<b>2003</b>	<b>2004</b>	<b>2005</b>	<b>2006</b>	<b>2007</b>
	28.2	25.4	25.5	19.4	27.5	30.9	32.5	34.0	38.0
<b>Alcohol Related Fatality Rate/100M VMT</b>	<b>1999</b>	<b>2000</b>	<b>2001</b>	<b>2002</b>	<b>2003</b>	<b>2004</b>	<b>2005</b>	<b>2006</b>	<b>2007</b>
	0.36	0.33	0.34	0.28	0.39	0.4	0.36	0.42	0.46
<b>Percent of Population Using Safety Belts*</b>	<b>1999</b>	<b>2000</b>	<b>2001</b>	<b>2002</b>	<b>2003</b>	<b>2004</b>	<b>2005</b>	<b>2006</b>	<b>2007</b>
	59.00%	59.00%	59.00%	59.20%	59.20%	72.60%	75.80%	77.20%	79.80%
<b>Speed Related Fatal Crashes</b>	<b>1999</b>	<b>2000</b>	<b>2001</b>	<b>2002</b>	<b>2003</b>	<b>2004</b>	<b>2005</b>	<b>2006</b>	<b>2007</b>
	73	67	66	65	69	79	86	72	86
<b>Percent of Speed Related Fatal Crashes</b>	<b>1999</b>	<b>2000</b>	<b>2001</b>	<b>2002</b>	<b>2003</b>	<b>2004</b>	<b>2005</b>	<b>2006</b>	<b>2007</b>
	0.43	0.42	0.38	0.34	0.37	0.44	0.50	0.38	0.46
<b>Motorcycle Fatalities</b>	<b>1999</b>	<b>2000</b>	<b>2001</b>	<b>2002</b>	<b>2003</b>	<b>2004</b>	<b>2005</b>	<b>2006</b>	<b>2007</b>
	16.0	18.0	14.0	13.0	20.0	22.0	15.0	23.0	23.0

# Performance Goals and Trends

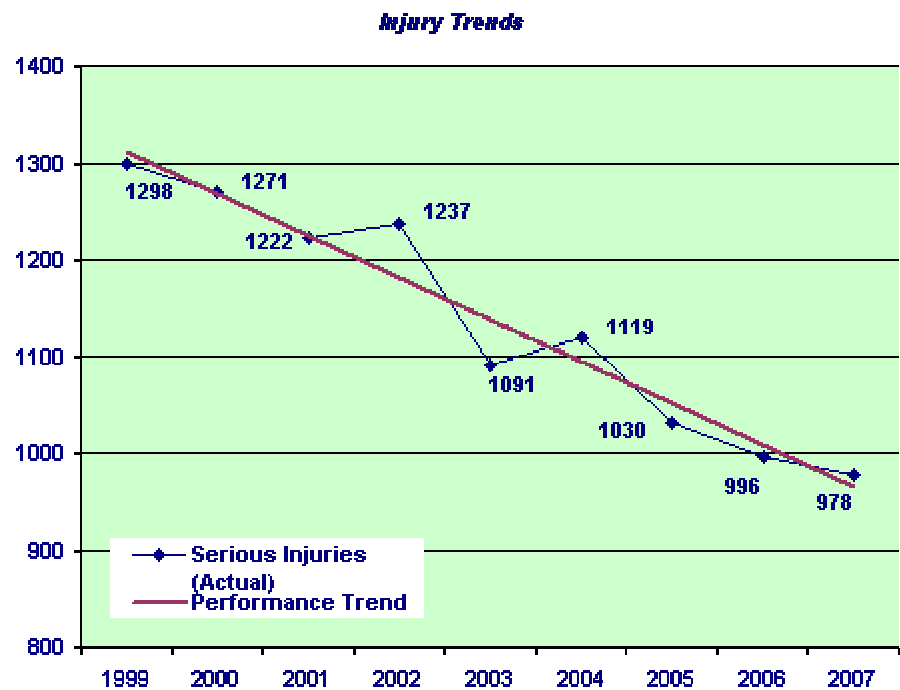
Goal: Reduce Fatalities



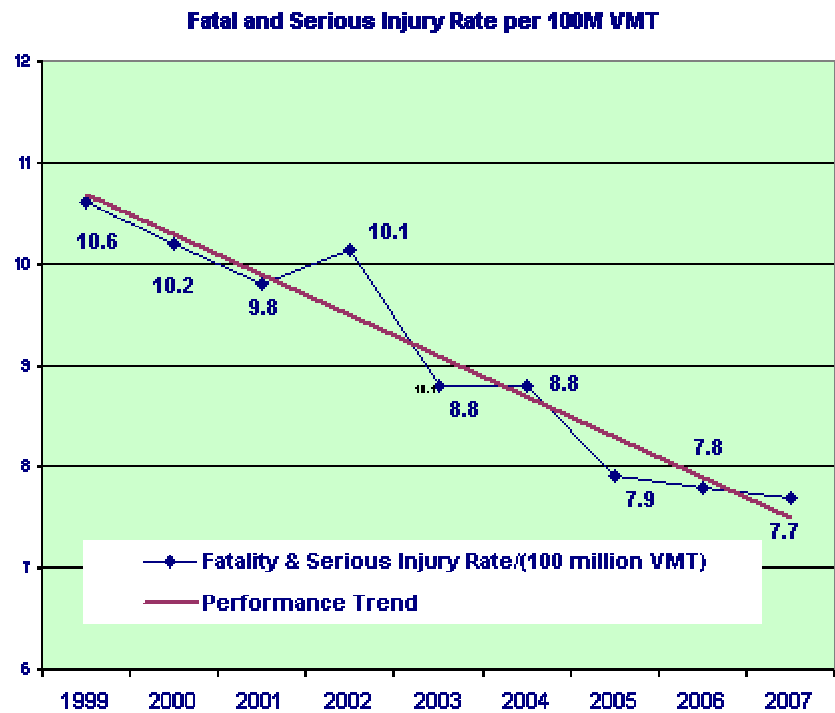
Goal: Reduce Fatality Rate/VMT



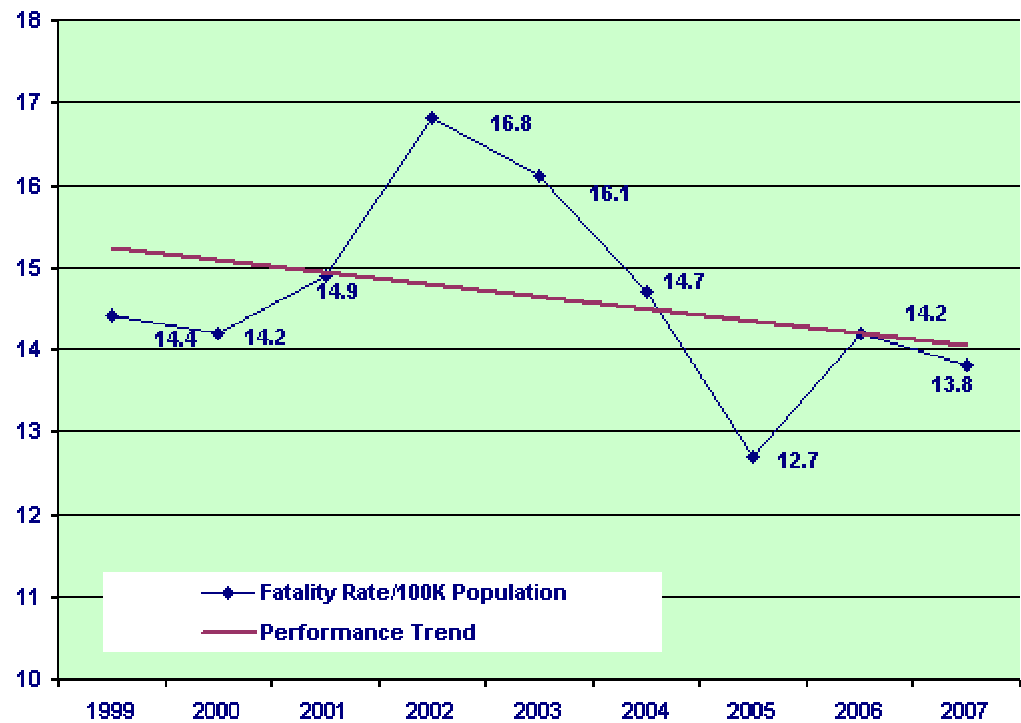
Goal: Reduce Injuries



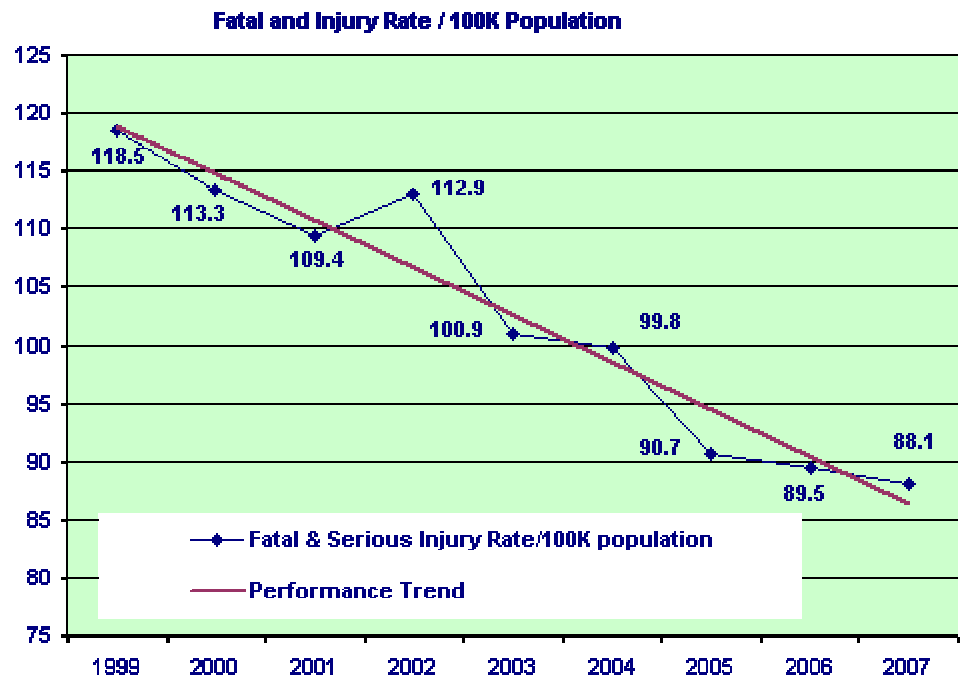
Goal: Reduce Fatal and Injury Rate/VMT



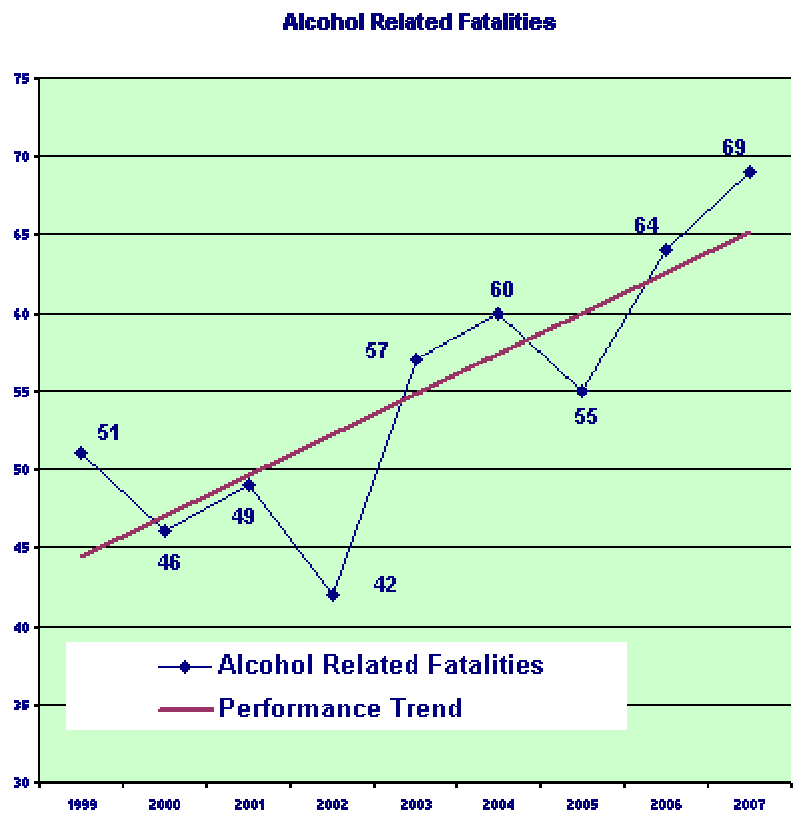
Goal: Maintain/Reduce Fatality Rate/100K Population



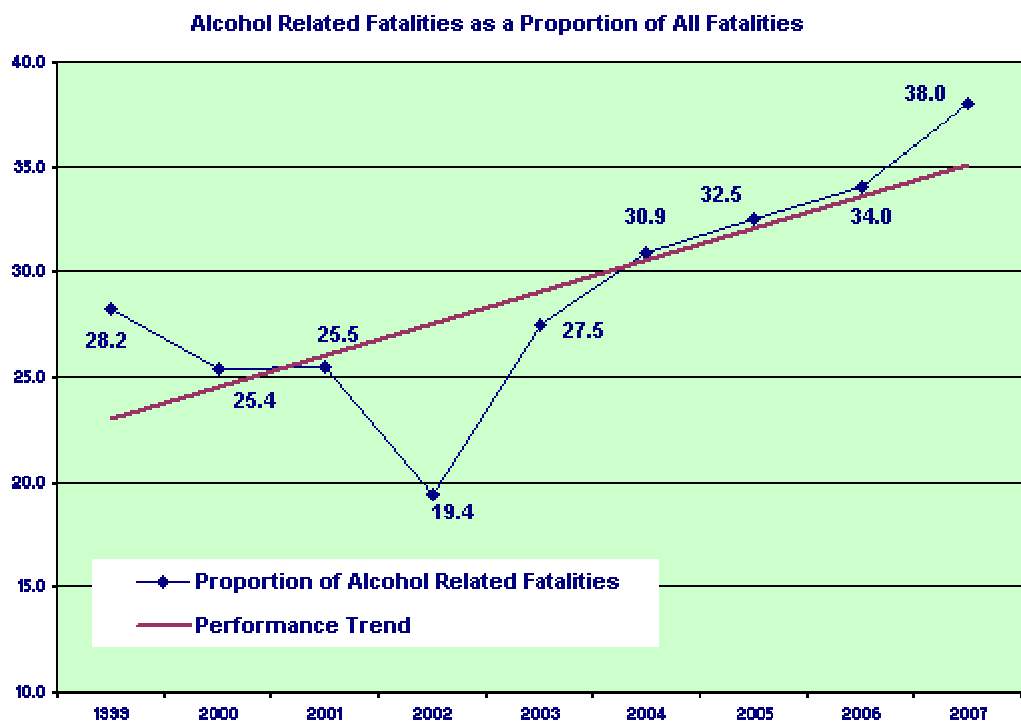
Goal: Maintain/Reduce Fatal/Injury Rate/100K Population



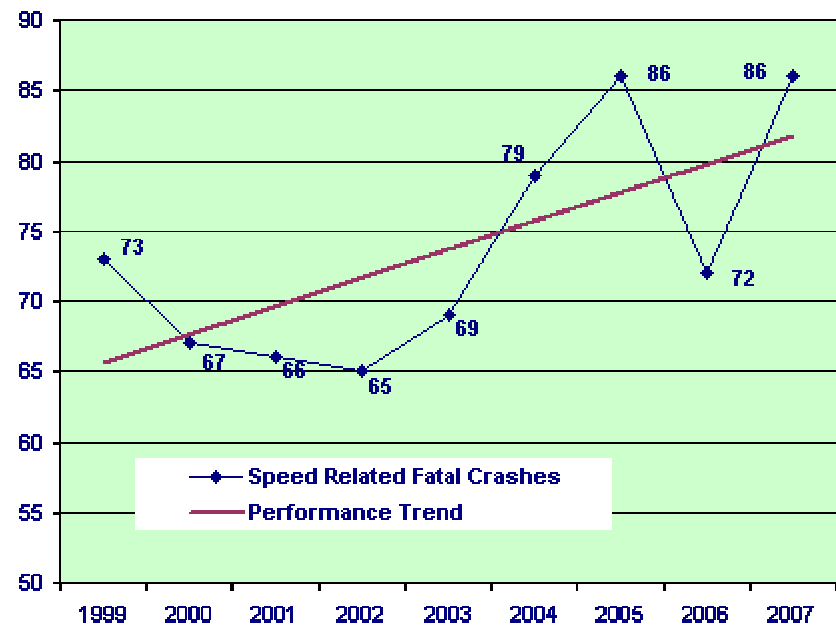
Goal: Reduce Alcohol Fatalities



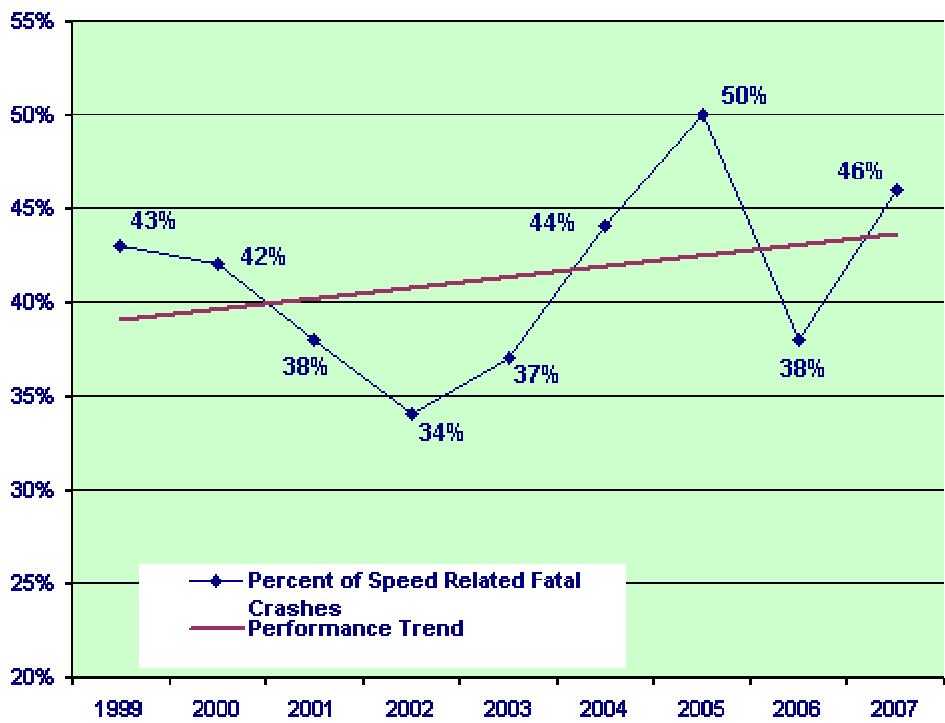
Goal: Reduce Alcohol Fatality Proportion



Goal: Reduce Speed Related Fatal Crashes

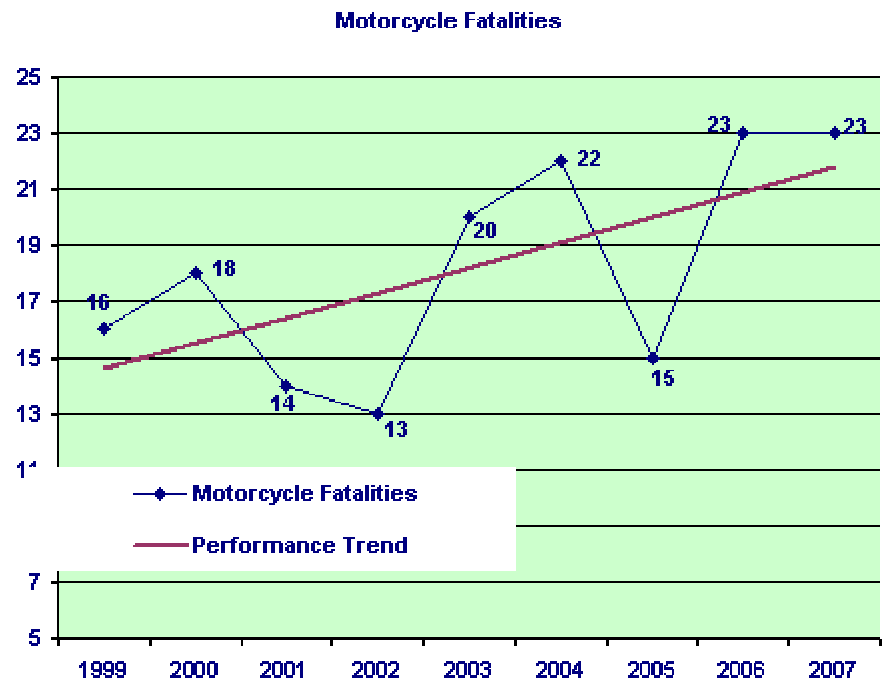


Goal: Reduce Percentage of Speed Related Fatal Crashes





Goal: Reduce Motorcycle Fatalities



## **Performance Plans**

### **Problem Identification – Summary Report**

The Bureau of Highway Safety, in partnership with others, conducts an extensive problem identification process to determine the most effective and efficient plan for the use of federal and state highway safety funds. Problem identification ensures that the programs undertaken address specific crash problems at specific crash locations and provide the criteria necessary for proper prioritizing and evaluation. The MeBHS identifies problems through a strong partnership with the MeDOT, the Maine Transportation Safety Coalition (MTSC), CODES, FARS, Maine CDC-Injury Prevention, state, local and municipal law enforcement, and data from the Maine Crash Reporting System.

The MTSC (and the above named partners) conduct an in-depth analysis of traffic crash data to identify and prioritize Maine traffic safety problems. The primary areas of concern determined from this analysis have become the emphasis areas that are detailed in the Maine Strategic Highway Safety Plan. Those areas are: Occupant Protection/Restraints, Lane Departure Crashes, Illegal or Imprudent Speed, Motorcycle Safety and Younger/Older Drivers. The MeBHS has taken the lead on portions of these identified problem areas for which our federal funds and regulations allow us to effect driver behavioral changes.

The MeBHS further analyses the data to determine the most at risk locations involving speed related crashes, alcohol related crashes and unbuckled adults, teens and children. The

State Traffic Records Coordinating Committee has identified deficiencies in all of our traffic record-keeping systems. We will continue to focus funding and attention to traffic records systems including: Maine Crash Reporting System; Roadway System, Driver and Licensing Systems, EMS System and the Violations/Citations System as part of our Traffic Records Strategic Plan.

With the assistance of the MeDOT, we reviewed charts and maps of those areas with the highest incidence of speed and alcohol related crashes and fatalities. We consistently direct our highway safety funds to those identified high crash areas and will continue that approach into FFY 2009 and beyond. (See detailed charts below).

#### Problem Identification – Supporting Data

##### **Alcohol Related Crashes by County**

Sum of Number of Crashes	Crash year		
County name	2006	2007	Grand Total
Cumberland	390	369	759
York	313	299	612
Penobscot	162	172	334
Kennebec	136	120	256
Androscoggin	131	138	269
Hancock	97	91	188
Aroostook	95	72	167
Oxford	87	80	167
Somerset	81	73	154
Franklin	61	53	114
Knox	56	52	108
Sagadahoc	51	42	93
Waldo	46	53	99
Lincoln	38	46	84
Washington	37	43	80
Piscataquis	16	5	21
Grand Total	1798	1708	3506

### Alcohol Related Crashes by Day of Week

Sum of Number of Crashes	Crash year		
Day	2006	2007	Grand Total
MONDAY	196	174	370
TUESDAY	154	157	311
WEDNESDAY	210	191	401
THURSDAY	197	206	403
FRIDAY	289	300	589
SATURDAY	418	332	750
SUNDAY	334	348	682
Grand Total	1798	1708	3506

### Alcohol Related Crashes by Time of Day

Sum of Number of Crashes	Crash year		
Hour of day	2006	2007	Grand Total
12 am - 1 am	154	141	295
1 am - 2 am	209	194	403
2 am - 3 am	114	101	215
3 am - 4 am	95	46	141
4 am - 5 am	37	42	79
5 am - 6 am	33	48	81
6 am - 7 am	13	23	36
7 am - 8 am	14	19	33
8 am - 9 am	15	15	30
9 am - 10 am	13	20	33
10 am - 11 am	24	14	38
11 am - 12 pm	29	24	53
12 pm - 1 pm	25	34	59
1 pm - 2 pm	25	26	51
2 pm - 3 pm	36	33	69
3 pm - 4 pm	45	51	96
4 pm - 5 pm	82	78	160
5 pm - 6 pm	86	94	180
6 pm - 7 pm	109	85	194
7 pm - 8 pm	107	101	208
8 pm - 9 pm	112	113	225
9 pm - 10 pm	121	127	248
10 pm - 11 pm	151	130	281
11 pm - 12 am	150	149	299
Grand Total	1799	1708	3507

### Alcohol Related Crashes by Age

Sum of Number of Crashes	Crash year		
Driver age	2006	2007	Grand Total
15	5		5
16	13	6	19
17	28	38	66
18	72	51	123
19	67	63	130
20	91	52	143
21	97	89	186
22	97	95	192
23	92	79	171
24	78	58	136
25	71	60	131
26	47	63	110
27	57	54	111
28	45	54	99
29	39	52	91
30	40	42	82
31	25	34	59
32	47	28	75
33	28	36	64
34	26	38	64
35	37	36	73
36	39	35	74
37	38	26	64
38	32	33	65
39	35	37	72
40	30	37	67
41	38	38	76
42	43	31	74
43	45	36	81
44	35	37	72
45	40	36	76
46	36	21	57
47	27	27	54
48	23	26	49
49	27	31	58
50	13	21	34
51	26	31	57
52	21	16	37
53	15	14	29
54	14	18	32
55	24	11	35
56	16	18	34
57	10	17	27
58	5	5	10
59	8	9	17
60	5	7	12

	61	7	8	15
	62	4	9	13
	63	6	5	11
	64	5	7	12
	65	1	4	5
	66	5	2	7
	67	3		3
	68	2	7	9
	69	2	2	4
	70	2	3	5
	71	1	3	4
	72	1	1	2
	73	1	3	4
	74	2	4	6
	75	1	1	2
	76	1	2	3
	77	2	2	4
	78	1		1
	79	1	2	3
	80		1	1
	81	1		1
	83		1	1
	85	1		1
	87	1		1
	89		2	2
	99		1	1
Grand Total		1798	1716	3514

### Speed Related Crashes by County

Sum of COUNT Crash_ID	Crash year		
County name	2006	2007	Grand Total
Cumberland	1169	1244	2413
Penobscot	844	758	1602
York	800	868	1668
Kennebec	620	612	1232
Androscoggin	451	420	871
Oxford	360	356	716
Aroostook	299	261	560
Hancock	292	332	624
Somerset	278	252	530
Franklin	233	214	447
Waldo	161	175	336
Sagadahoc	158	143	301
Lincoln	149	177	326
Knox	144	154	298
Washington	142	147	289
Piscataquis	38	36	74
Grand Total	6142	6151	12293

### Speed Related Crashes by Day of Week

Sum of Number of Crashes	Crash year		
Day	2006	2007	Grand Total
MONDAY	1112	1043	2155
TUESDAY	617	820	1437
WEDNESDAY	547	802	1349
THURSDAY	986	1013	1999
FRIDAY	1048	1037	2085
SATURDAY	1015	756	1771
SUNDAY	817	680	1497
Grand Total	6142	6151	12293

### Speed Related Crashes by Time of Day

	Crash year		
<b>Time of Day</b>	<b>2006</b>	<b>2007</b>	<b>Grand Total</b>
12 am - 1 am	163	175	338
1 am - 2 am	176	160	336
2 am - 3 am	129	112	241
3 am - 4 am	98	73	171
4 am - 5 am	88	102	190
5 am - 6 am	175	150	325
6 am - 7 am	203	257	460
7 am - 8 am	388	392	780
8 am - 9 am	319	362	681
9 am - 10 am	254	295	549
10 am - 11 am	291	240	531
11 am - 12 pm	309	306	615
12 pm - 1 pm	346	292	638
1 pm - 2 pm	321	257	578
2 pm - 3 pm	359	294	653
3 pm - 4 pm	357	374	731
4 pm - 5 pm	396	407	803
5 pm - 6 pm	372	394	766
6 pm - 7 pm	286	327	613
7 pm - 8 pm	225	295	520
8 pm - 9 pm	244	246	490
9 pm - 10 pm	226	237	463
10 pm - 11 pm	241	224	465
11 pm - 12 am	176	180	356
<b>Grand Total</b>	<b>6142</b>	<b>6151</b>	<b>12293</b>



### Speed Related Crashes by Driver Age

Sum of Number of Crashes	Crash year		
Driver age	2006	2007	Grand Total
15	9	6	15
16	275	212	487
17	365	387	752
18	402	387	789
19	330	337	667
20	301	262	563
21	273	264	537
22	246	253	499
23	199	223	422
24	178	177	355
25	199	200	399
26	162	160	322
27	130	141	271
28	124	142	266
29	113	136	249
30	106	108	214
31	105	103	208
32	114	88	202
33	101	86	187
34	103	98	201
35	105	119	224
36	95	100	195
37	109	86	195
38	122	136	258
39	99	96	195
40	94	90	184
41	86	74	160
42	95	102	197
43	93	103	196
44	77	98	175
45	81	95	176
46	96	80	176
47	77	94	171
48	82	90	172
49	85	66	151
50	51	69	120
51	57	76	133
52	60	71	131
53	57	58	115
54	63	65	128
55	57	51	108
56	65	71	136
57	65	52	117

58	42	43	85
59	49	42	91
60	37	48	85
61	29	24	53
62	33	26	59
63	31	31	62
64	30	27	57
65	21	26	47
66	17	11	28
67	23	20	43
68	16	7	23
69	17	11	28
70	14	19	33
71	9	11	20
72	6	9	15
73	12	7	19
74	8	9	17
75	5	11	16
76	10	11	21
77	7	12	19
78	10	8	18
79	7	6	13
80	7	8	15
81	5	4	9
82	1	4	5
83	3	5	8
84	1	1	2
85	4	5	9
86	5	5	10
87	4	3	7
88	1	6	7
89	1		1
90		3	3
91	1		1
92		1	1
93		1	1
Grand Total	6172	6177	12349

## Setting Performance Goals

Traffic Fatality Performance Goal = decrease total number of traffic fatalities by 10% for 2008. (2007 Total = 183)

Fatality Rate/VMT Performance Goal = maintain or decrease rate/100VMT from 1.2 to 1.0 for 2008.

### Traffic Fatalities Performance Measures:

The MeBHS will use FARS and NHTSA data to track total fatalities. We will compare that rate to prior years, other New England States and the U.S.

Occupant Protection Performance Goal = decrease unbelted fatalities: The performance goal stated in the 08 HSP was to reduce unbelted fatalities to 47%. The unbelted fatality percentage for 2007 is 54.28%. Our 2009 HSP goal is restated to 50% for 2008.

Occupant Protection Performance Goal = increase seat belt usage: The performance goal stated for 2008 was 82%. Our actual seat belt usage rate for 2008 is 83%. Goal for 2009 is 84%.

### Occupant Protection Performance Measures:

The MeBHS will use FARS and NHTSA data to track unbelted fatalities. We will compare that rate to prior years, other New England States and the U.S. The MeBHS will continue its statewide observational surveys of adult front seat passengers to determine the usage rate.

Impaired Driving Performance Goal = decrease alcohol-related fatalities: alcohol-related fatalities were 34% in 2006, rising to 38% in 2007. MeBHS restates its 2009 HSP goal to reduce alcohol-related fatalities to 37% for 2008.

Impaired Driving Performance Goal = decrease alcohol-related crashes: alcohol-related crashes were 29% in 2006, rising to 33% in 2007. MeBHS states its 2009 HSP goal to reduce alcohol-related crashes from 33% in 2007 to 30% for 2008.

Impaired Driving Performance Measure: MeBHS will continue to analyze MeDOT crash, FARS and Maine Crash Report System (MCRS) data to determine high-crash/high-fatality locations and to track progress toward a reduction in alcohol-related fatalities and crashes. We will also track the number of crashes and fatalities involving drivers with a BAC greater than .08.

Illegal or Imprudent Speed Performance Goal = decrease speed-related fatalities: speed-related fatalities have risen sharply from 38% of all fatal crashes in 2006 to 46% in 2007. The MeBHS stated a goal of 36% for the end of 2007 and now must restate our goal to reduce speed-related fatalities to 45% for 2008.

Illegal or Imprudent Speed Performance Goal = decrease speed-related crashes: speed-related crashes represent 42% of all crashes in 2007. The MeBHS stated a goal of 36% for the end of 2007 and now restates a goal to reduce speed-related crashes to 36% for 2008.

Illegal or Imprudent Speed Performance Measure: MeBHS will continue to analyze MeDOT, FARS and Maine Crash Report System (MCRS) data to determine high-crash/high-fatality locations and to track progress toward a reduction in speed-related fatalities and crashes. We will also track speed citations for comparison.

Motorcycle Fatality Performance Goal = decrease total number of motorcycle fatalities by 10% for 2008. (2007 Total = 23)

Motorcycle Fatalities involving .08 BAC or above Performance Goal = maintain or decrease rate with .08 BAC or above from 21% to 19% for 2008.

Motorcycle Fatalities Performance Measures:

The MeBHS will use MeDOT, FARS and NHTSA data to track total motorcycle fatalities and crashes and will track BAC involvement of operators. We will compare fatalities against registered motorcycles for current and prior years and track unhelmeted motorcycle fatalities.

Young Driver Fatality Performance Goal = decrease total number of young-driver (16-20) fatalities by 10% for 2008. (2007 Total = 12)

Young Driver Fatalities involving .08 BAC or above Performance Goal = decrease rate with .08 BAC or above from 28% to 26% for 2008.

Young Driver Unbelted Fatalities Performance Goal = decrease the number of unbelted young driver fatalities from 61% in 2007 to 58% for 2008.

Young Driver Fatalities Performance Measure: The MeBHS will use MeDOT, FARS and NHTSA data to track total young driver fatalities and crashes and will track BAC involvement of operators. We will also track the number of unbelted young drivers involved in fatal crashes.

## Highway Safety Plan Projects/Programs and Strategies

### Section 402 Funds

#### Planning and Administration Program Area

**Project Number:** 2009-01PA Task 1

**Project Title:** MeBHS Allowable P&A

**Project Description:** Funds will support a portion of the costs associated with the administration of the state highway safety office and highway safety plan performance goals. Costs include salaries, operational costs and expenses, training, travel, dues and necessary highway safety system accounting upgrades.

**Project Cost:** \$ 391,526.02

---

**TOTAL PA:** \$337,650.20

---

#### Paid Media Program Area

**Project Number:** 2009-01PM Task 1

**Project Title:** Allowable Paid Media to Support all 402 Program Areas

**Project Description:** Funds will support paid media for high visibility enforcement campaigns for seat belt and impaired driving, child passenger safety efforts, speed, teen driving and police traffic services.

**Project Cost:** \$300,000.00

---

**TOTAL PM:** \$300,000.00

---

## Occupant Protection Program Area

**Project Number:** 2009-09OP Task 1

**Project Title:** Safety Belt Educator

**Project Description:** This is a full-time occupant protection coordinator position through Mid-Coast EMS. This position allows for seat belt education and outreach to individuals of all ages through the use of convincer and roll-over simulator demonstrations and public presentations. This program reaches thousands of Maine citizens each year and provides education to all Maine school grades K-12, private business and state agencies.

**Project Cost:** \$100,000.00

---

**Project Number:** 2009-09OP Task 2

**Project Title:** Convincer, Rollover, and CPS Trailer Operations & Maintenance

**Project Description:** Costs associated with the up-keep, use and maintenance of highway safety vehicle equipment.

**Project Cost:** \$15,000.00

---

**Project Number:** 2009-09OP Task 3

**Project Title:** Click It or Ticket High Visibility Enforcement Campaign (October to January Holiday Period)

**Project Description:** Costs associated with the CIOT Holiday Enforcement Campaign.

**Project Cost:** \$150,000.00

---

**Project Number:** 2009-09OP Task 4

**Project Title:** OP Community Grants

**Project Description:** Various OP-related projects including: a project with SADD to increase teen seat belt use, projects that will include working with the Maine Restaurant Association to post signs at drive-up windows reminding motorists to re-buckle before driving away; and projects that will target non-belt wearing teens through use of materials and presentations available from the Century Council or others.

**Project Cost:** \$50,000.00

---

**Project Number:** 2009-09OP Task 5

**Project Title:** Occupant Protection Program Management

**Project Description:** Costs associated with public information, education, procurement and distribution of printed materials and promotional information, attendance of MeBHS employees and representatives at trainings, conferences and workshops for Occupant Protection.

**Project Cost:** \$50,000.00

---

**Project Number:** 2009-09OP Task 6

**Project Title:** Occupant Protection Minority Outreach Efforts

**Project Description:** Costs associated with a dedicated outreach program to educate Maine minority populations regarding the benefits of using seat belts. Project with Maine Department of Labor and Multi-Cultural Affairs.

**Project Cost:** \$50,000.00

---

**Project Number:** 2009-09OP Task 7

**Project Title:** Teen Driver Educator

**Project Description:** The Teen Driver Educator will conduct all teen driving activities for MeBHS including scheduling and presenting AAA's "Dare to Prepare" programs as well as attending conferences, booths, Booster Clubs, high schools and other programs throughout the state.

**Project Cost:** \$95,000.00

---

**TOTAL OP:** \$510,000.00

---

## Alcohol and Impaired Driving Program Area

**Project Number:** 2009-09AL Task 1

**Project Title:** OUI High Visibility Enforcement efforts

**Project Description:** Funding for this project will support overtime for law enforcement to participate in impaired driving enforcement details and checkpoints for the “Drunk Driving. Over the Limit. Under Arrest.” campaign and the MeBHS summer OUI program.

**Project Cost:** \$200,000.00

---

**Project Number:** 2009-09AL Task 2

**Project Title:** Impaired Driving Program Management

**Project Description:** Funding will support attendance of MeBHS employees at trainings, conferences, and workshops for Impaired Driving. Funds will also support public information and education materials.

**Project Cost:** \$50,000.00

---

**Project Number:** 2009-09AL Task 3

**Project Title:** Breath Testing Instruments

**Project Description:** Funding will support the procurement of breath testing instruments to support the OUI program.

**Project Cost:** \$10,000.00

---

**Project Number:** 2009-09AL Task 4

**Project Title:** Standard Field Sobriety Testing (SFST) Assessment

**Project Description:** Funds will support a SFST Assessment.

**Project Cost:** \$30,000.00

---

**TOTAL AL:** \$290,000.00

---



## Emergency Medical Services Program Area

**Project Number:** 2009-09EM Task 1

**Project Title:** EMS Training

**Project Description:** Funding will support EMS training and materials.

**Project Cost:** \$20,553.24

---

**TOTAL EMS: \$20,553.24**

---

## Traffic Records Program Area

**Project Number:** 2009-09TR Task 1

**Project Title:** Traffic Records Coordinating Committee

**Project Description:** Funds will support meeting materials, travel, Traffic Records Facilitation, and other expenses associated with the Traffic Records Coordinating Committee.

**Project Cost:** \$75,000.00

---

**Project Number:** 2009-09TR Task 2

**Project Title:** Maine Crash Reporting System Maintenance

**Project Description:** Funds will support maintenance and helpdesk support for the electronic Maine Crash Reporting System.

**Project Cost:** \$80,000.00

---

**Project Number:** 2009-09TR Task 3

**Project Title:** Traffic Records Program Management

**Project Description:** Funds will support MeBHS employees at meetings, trainings and workshops associated with Traffic Records.

**Project Cost:** \$50,000.00

---

**Project Number:** 2009-09TR Task 4

**Project Title:** Traffic Records System Analyst

**Project Description:** Position to provide technical assistance related to TR projects and the Maine Crash Reporting System, and to the MeBHS website.

**Project Cost:** \$120,000.00

---

**TOTAL TR: \$325,000.00**

---

---

### **Police Traffic Services Program Area**

**Project Number:** 2009-09PT Task 1

**Project Title:** Equipment Procurement (individual items under \$5,000.00)

**Project Description:** Funds will support law enforcement in the procurement of radar equipment and other tools necessary to enforce speed and aggressive driving risk behaviors.

**Project Cost:** \$200,000.00

---

**Project Number:** 2009-09PT Task 2

**Project Title:** PTS Program Management

**Project Description:** Funds will support public information, education, procurement and distribution of printed materials and promotional information items, attendance of MeBHS employees at trainings, conferences and workshops directed at speed and aggressive driving behaviors.

**Budget:** \$50,000.00

---

**Project Number:** 2009-09PT Task 3

**Project Title:** MSP Enforcement (Speed, Alcohol and Occupant Protection)

**Project Description:** Funds will support one grant for the year-long efforts of the Maine State Police (MSP) to target specific areas identified for speed and alcohol related crashes. The MSP will also conduct the two-week “Buckle Up. No Excuses!”/Click It or Ticket campaign for OP using these funds.

**Project Cost:** \$130,000.00

---

**Project Number:** 2009-09PT Task 4

**Project Title:** Local & County Law Enforcement Speed Enforcement

**Project Description:** Funds will support overtime for dedicated speed details throughout the year, for local and county law enforcement.

**Project Cost:** \$159,640.00

---

**Project Number:** 2009-09PT Task 5

**Project Title:** Specialized Law Enforcement Reconstruction Training and Equipment

**Project Description:** Funds will support specialized training, travel and/or materials for state, local and county law enforcement in Crash Reconstruction as well as use in law enforcement equipment (radars, lasers, etc.) necessary for the enforcement of speed and aggressive driving behaviors.

**Project Cost:** \$30,000.00

---

**Project Number:** 2009-09PT Task 6

**Project Title:** Chiefs Challenge

**Project Description:** Funds will cover the costs associated with the Maine Law Enforcement Chiefs Challenge. The Chiefs Challenge is an assessment tool on LE traffic safety programs.

**Project Cost:** \$50,000.00

---

**Project Number:** 2009-09PT Task 7

**Project Title:** Specialized LE Training- Drug Recognition Experts

**Project Description:** Funds will support specialized training, travel and/or materials for state, local, and county law enforcement in the area of Drug Recognition in the campaign against driving under the influence of drugs, and expenses for the yearly national DRE conference.

**Project Cost:** \$25,000.00

---

**Project Number:** 2009-09PT Task 8

**Project Title:** Traffic Safety Resource Prosecutor (TSRP)

**Project Description:** Funds will support a full time TSRP for the state of Maine.

**Project Cost:** \$100,000.00

---

**Project Number:** 2009-09PT Task 9

**Project Title:** Law Enforcement Liaison

**Project Description:** Funds will support a full-time Law Enforcement Liaison for the state of Maine.

**Project Cost:** \$100,000.00

---

**Project Number:** 2009-09PT Task 10

**Project Title:** Operating After Suspension (OAS) Activities

**Project Description:** Funds will support York and Cumberland Counties with dedicated OAS details.

**Project Cost:** \$50,000.00

---

**Project Number:** 2009-09PT Task 11

**Project Title:** Commercial Motor Vehicles (CMV) Pilot Project

**Project Description:** Funds will support a pilot project to target aggressive drivers with CMV.

**Project Cost:** \$100,000.00

---

**TOTAL PT: \$994,640.00**

---

## **Child Passenger Safety Program Area**

**Project Number:** 2009-09CR Task 1

**Project Title:** Child Passenger Safety Educator

**Project Description:** This is a very successful child passenger safety education project supported by one liaison from the Maine CDC, Injury Prevention Unit. This position will continue to manage safety seat check up events, market the Maine CPS program, disseminate information, coordinate with doctors, nurses and other partners in CPS for the state of Maine. This position also manages an information database for collection and analysis of CPS data.

**Project Cost:** \$100,000.00

---

**Project Number:** 2009-09CR Task 2

**Project Title:** Child Passenger Safety for Buses

**Project Description:** Funding for this project will support the training and CPS certification of more instructors plus specialized training in special needs.

**Project Cost:** \$25,000.00

---

**Project Number:** 2009-09CR Task 3

**Project Title:** Child Safety Seats for Fitting Stations and Voucher Sites

**Project Description:** Funding for this project will support new safety seats and materials, and special needs safety seats for Maine fitting stations and for income eligible voucher sites.

**Project Cost:** \$200,000.00

---

**Project Number:** 2009-09CR Task 4

**Project Title:** Maine SafeKids CPS Program Support

**Project Description:** Safe Kids of Maine will conduct child safety seat check up events throughout the state of Maine during 2009; conduct NHTSA CPS Technician trainings; conduct CPS refresher trainings; attend exhibits, workshops and other safety events to promote CPS in Maine.

**Project Cost:** \$30,000.00

---

**Project Number:** 2009-09CR Task 5

**Project Title:** Falmouth Fire & EMS

**Project Description:** The Falmouth Fire Station will manage a fitting station, train CPS technicians, distribute seats and hold special check up events throughout 2009. Funds will support the Falmouth Fire Station CPS program.

**Project Cost:** \$20,000.00

---

**TOTAL CR: \$375,000.00**

---

### Safe Communities Program Area

**Project Number:** 2009-09SA Task 1

**Project Title:** Community Grants

**Project Description:** Funds will support community efforts for bicycle, pedestrian, occupant protection, impaired driving, speed, motorcycle and other highway safety issues at the community effort.

**Project Cost:** \$25,000.00

---

**TOTAL SA: \$25,000.00**

---

**Project Number:** 2009-09PS Task 1

**Project Title:** Brain Injury Association

**Project Description:** Funds will support activities of the Brain Injury Association to distribute bicycle helmets to Maine children.

**Project Cost:** \$50,000.00

---

**TOTAL PS: \$50,000.00**

---

**TOTAL 402: \$3,227,843.40**

---

### Section 405 Funds

**Project Number:** 2009-09OPI Task 1

**Project Title:** Click It or Ticket High Visibility Enforcement (CIOT HVE) Campaign (May)

**Project Description:** Costs associated with the annual CIOT HVE Enforcement Campaign.

**Project Cost:** \$458,597.00

---

**Project Number:** 2009-09OPI Task 2

**Project Title:** Statewide Observational Seat Belt Survey

**Project Description:** Costs associated with the annual observational seat belt survey.

**Project Cost:** \$200,000.00

---

**TOTAL 405:** \$658,597.00

---

---

### Section 406 Funds

**Project Number:** 2009-09PBL Task 1

**Project Title:** 406 P&A

**Project Description:** Funds will support the costs associated with administration of P&A activities for Section 406.

**Project Cost:** \$186,259.00

---

**Project Number:** 2009-09PBL Task 2

**Project Title:** Media (PBL information & other highway safety activities)

**Project Description:** Funds will support the State's media plan

**Project Cost:** \$900,335.00

---

**Project Number:** 2009-09PBL Task 3

**Project Title:** Maine State Police Enforcement Efforts

**Project Description:** Funds will support a portion of the sustained enforcement activities of the Maine State Police.

**Project Cost:** \$200,000.00

---

**Project Number:** 2009-09PBL Task 4

**Project Title:** LE Equipment

**Project Description:** Funds will support the purchase of law enforcement equipment necessary for sustained enforcement of speed, alcohol and occupant protection.

**Project Cost:** \$376,000.00

---

**Project Number:** 2009-09PBL Task 5

**Project Title:** Local LE Speed Enforcement

**Project Description:** Funds will support sustained local law enforcement speed activities.

**Project Cost:** \$200,000.00

---

**TOTAL 406:** \$1,862,594.00

---

---

#### Section 408 Funds

**Project Number:** 2009-09K9 Task 1

**Project Title:** Maine Crash Reporting System (MCRS) Upgrade

**Project Description:** Funds to support MCRS upgrade detailed in Section 408 approved application.

**Project Cost:** \$1,225,954.00

---

**Project Number:** 2009-09K9 Task 2

**Project Title:** CODES Project

**Project Description:** Funds will supplement a portion of the Maine CODES Project.

**Project Cost:** \$60,000.00

---



**Project Number:** 2009-09K9 Task 3

**Project Title:** EMS Run Reporting

**Project Description:** Funds will support necessary activities associated with EMS run-reporting as outlines in the 408 Plan.

**Project Cost:** \$150,000.00

---

**Project Number:** 2009-09K9 Task 4

**Project Title:** Violations

**Project Description:** Funds will support a Traffic Records project for MEJIS II as outlined in the 408 Plan.

**Project Cost:** \$100,000.00

---

**TOTAL 408:** \$1,535,954.00

---

---

#### Section 410 Funds

**Project Number:** 2009-09K8 Task 1

**Project Title:** Sustained High Visibility Enforcement

**Project Description:** Funds will support the HVE OUI efforts by law enforcement to support national crackdowns and sustain enforcement efforts for the entire year.

**Project Cost:** \$1,170,714.00

---

**Project Number:** 2009-09K8 Task 2

**Project Title:** OUI Court

**Project Description:** Funds will support OUI training for York Drug Court.

**Project Cost:** \$500,000.00

---

**Project Number:** 2009-09K8 Task 3

**Project Title:** 410 P&A

**Project Description:**

**Project Cost:** \$217,624.00

---

**TOTAL 410: \$1,859,523.70**

---

**Section 2010 Funds**

**Project Number:** 2009-09MC Task 1

**Project Title:** BMV Motorcycle Safety Program

**Project Description:** Funds will support motorcycle safety, training and Share the Road publicity efforts.

**Project Cost:** \$242,500.00

---

**TOTAL 2010: \$242,500.00**

---

**Section 2011 Funds**

**Project Number:** 2009-09CP Task 1

**Project Title:** Maine Child Passenger Technician & Instructor Training

**Project Description:** Funding for this project will support training additional CPS techs and instructors, including the law enforcement training program at the Maine Criminal Justice Academy.

**Project Cost:** \$445,538.27

---

**TOTAL 2011: \$445,538.27**

---

Fund Type		402	
Project Totals		Anticipated FY09 Funds	Estimated Carry-Over Funds
		<b>\$1,686,525.00</b>	<b>\$1,603,408.00</b>
PA	\$337,650.20		\$222,874.02
PM	\$300,000.00		\$125,000.00
OP	\$510,000.00		\$297,031.42
AL	\$290,000.00		\$59,842.11
TR	\$325,000.00		\$205,478.79
EM	\$20,553.24		\$13,703.49
PT	\$994,640.00		\$301,640.46
CR	\$375,000.00		\$276,592.24
SA	\$25,000.00		\$19,155.80
PS	\$50,000.00		\$20,000.00
	<b>\$3,227,843.40</b>	<b>\$1,686,525.00</b>	<b>\$1,541,318.43</b>

Fund Type		405	
Project Totals		Anticipated FY09 Funds	Estimated Carry-Over Funds
405	J2	0	\$18,942.00
405S	K2	\$159,874.00	\$479,781.04
	<b>\$658,597.00</b>	<b>\$159,874.00</b>	<b>\$498,723.00</b>

Fund Type		406	
Project Totals		Anticipated FY09 Funds	Estimated Carry-Over Funds
406PA	K4PA	0	\$186,259.00
406	K4	0	\$1,676,335.00
	<b>\$1,862,594.00</b>	<b>0</b>	<b>\$1,862,594.00</b>

Fund Type			408	
		Project Totals	Anticipated FY09 Funds	Estimated Carry-Over Funds
408S	K9	\$1,535,954.00	\$500,000.00	\$1,035,954.00
		<b>\$1,535,954.00</b>	<b>\$500,000.00</b>	<b>\$1,035,954.00</b>

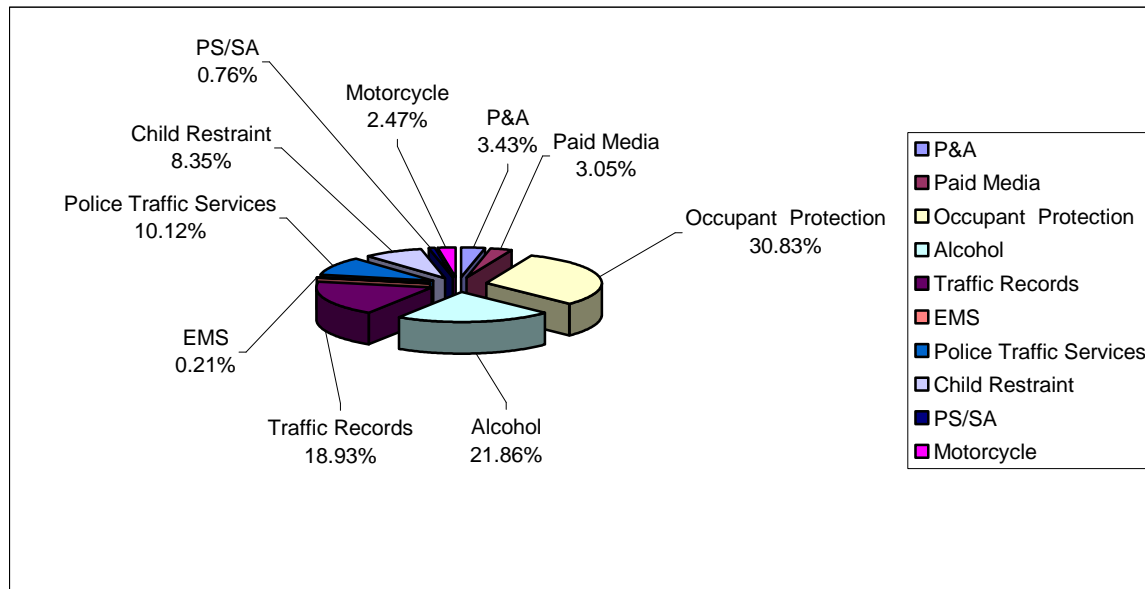
Fund Type			410	
		Project Totals	Anticipated FY09 Funds	Estimated Carry-Over Funds
410	K8PA	\$185,952.37	\$55,834.00	\$130,118.37
410	K8	\$1,673,571.30	\$502,514.00	\$1,171,057.30
		<b>\$1,859,523.70</b>	<b>\$558,348.00</b>	<b>\$1,301,175.70</b>

Fund Type			2010	
		Project Totals	Anticipated FY09 Funds	Estimated Carry-Over Funds
2010	K6	\$242,500.00	\$100,000.00	\$142,500.00
		<b>\$242,500.00</b>	<b>\$100,000.00</b>	<b>\$142,500.00</b>

Fund Type			2011	
		Project Totals	Anticipated FY09 Funds	Estimated Carry-Over Funds
2011	K3	\$445,538.27	\$100,000.00	\$345,538.27
		<b>\$445,538.27</b>	<b>\$100,000.00</b>	<b>\$345,538.27</b>

## Financial Summary

	402	402 Carryover	405	405 Carryover	405S	405S Carryover	406	406 Carryover	408S	408S Carryover	410	410 Carryover	2010	2010 Carryover	2011	2011 Carryover	Total	% of Total
P&A	\$114,776	\$222,874															\$337,650	3.43%
Paid Media	\$175,000	\$125,000															\$300,000	3.05%
Occupant Protection	\$212,969	\$297,031	\$0	\$18,942	\$159,874	\$479,781	\$1,862,594										\$3,031,191	30.83%
Alcohol	\$230,158	\$59,842									\$558,348	\$1,301,176					\$2,149,524	21.86%
Traffic Records	\$119,521	\$205,479							\$500,000	\$1,035,954							\$1,860,954	18.93%
EMS	\$6,850	\$13,703															\$20,553	0.21%
Police Traffic Services	\$693,000	\$301,640															\$994,640	10.12%
Child Restraint	\$98,408	\$276,592													\$100,000	\$345,538	\$820,538	8.35%
PS/SA	\$35,844	\$39,155															\$74,999	0.76%
Motorcycle													\$100,000	\$142,500			\$242,500	2.47%
<b><u>TOTAL 402 requested</u></b>	<b>\$1,686,525</b>	<b>\$1,541,318</b>															<b>\$9,832,550</b>	<b>100.000%</b>



## Certifications and Assurances

---

Failure to comply with applicable Federal statutes, regulations and directives may subject State officials to civil or criminal penalties and/or place the State in a high risk grantee status in accordance with 49 CFR §18.12.

### **Certifications and Assurances**

The Governor is responsible for the administration of the State highway safety program through a State highway safety agency which has adequate powers and is suitably equipped and organized (as evidenced by appropriate oversight procedures governing such areas as procurement, financial administration, and the use, management, and disposition of equipment) to carry out the program (23 USC 402(b) (1) (A));

The political subdivisions of this State are authorized, as part of the State highway safety program, to carry out within their jurisdictions local highway safety programs which have been approved by the Governor and are in accordance with the uniform guidelines promulgated by the Secretary of Transportation (23 USC 402(b) (1) (B));

At least 40 percent of all Federal funds apportioned to this State under 23 USC 402 for this fiscal year will be expended by or for the benefit of the political subdivision of the State in carrying out local highway safety programs (23 USC 402(b) (1) (C)), unless this requirement is waived in writing;

**The State will implement activities in support of national highway safety goals to reduce motor vehicle related fatalities that also reflect the primary data-related crash factors within the State as identified by the State highway safety planning process, including:**

**National law enforcement mobilizations,**

**Sustained enforcement of statutes addressing impaired driving, occupant protection, and driving in excess of posted speed limits,**

**An annual statewide safety belt use survey in accordance with criteria established by the Secretary for the measurement of State safety belt use rates to ensure that the measurements are accurate and representative,**

**Development of statewide data systems to provide timely and effective data analysis to support allocation of highway safety resources.**

**The State shall actively encourage all relevant law enforcement agencies in the State to follow the guidelines established for vehicular pursuits issued by the International Association of Chiefs of Police that are currently in effect.**

This State's highway safety program provides adequate and reasonable access for the safe and convenient movement of physically handicapped persons, including those in wheelchairs, across curbs constructed or replaced on or after July 1, 1976, at all pedestrian crosswalks (23 USC 402(b) (1) (D));

Cash draw downs will be initiated only when actually needed for disbursement, cash disbursements and balances will be reported in a timely manner as required by NHTSA, and the same standards of timing and amount, including the reporting of cash disbursement and balances, will be imposed upon any secondary recipient organizations (49 CFR 18.20, 18.21, and 18.41). Failure to adhere to these provisions may result in the termination of drawdown privileges);

The State has submitted appropriate documentation for review to the single point of contact designated by the Governor to review Federal programs, as required by Executive Order 12372 (Intergovernmental Review of Federal Programs);

Equipment acquired under this agreement for use in highway safety program areas shall be used and kept in operation for highway safety purposes by the State; or the State, by formal agreement with appropriate officials of a political subdivision or State agency, shall cause such equipment to be used and kept in operation for highway safety purposes (23 CFR 1200.21);

The State will comply with all applicable State procurement procedures and will maintain a financial management system that complies with the minimum requirements of 49 CFR 18.20;

The State highway safety agency will comply with all Federal statutes and implementing regulations relating to nondiscrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin (and 49 CFR Part 21); (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. §§ 1681-1683, and 1685-1686), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. §794), which prohibits discrimination on the basis of handicaps (and 49 CFR Part 27); (d) the Age Discrimination Act of 1975, as amended (42U.S.C. §§ 6101-6107), which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse; (f) the comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970(P.L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse of alcoholism; (g) §§ 523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. §§ 290 dd-3 and 290 ee-3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. §§ 3601 et seq.), as amended, relating to nondiscrimination in the sale, rental or financing of housing; (i) any other

nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and, (j) the requirements of any other nondiscrimination statute(s) which may apply to the application.

**The Drug-free Workplace Act of 1988(49 CFR Part 29 Sub-part F):**

1. The STATE OF MAINE certifies that it will provide a drug-free workplace by:

Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the Applicant's workplace and specifying the actions that will be taken against employees for violations of such prohibition;

Establishing an on-going drug-free awareness program to inform employees about:

the dangers of drug abuse in the workplace;

the Applicant's policy of maintaining a drug-free workplace;

any available drug counseling, rehabilitation, and employee assistance programs; and

the penalties that may be imposed upon employees for drug abuse violation occurring in the workplace;

Making it a requirement that employee be engaged in the performance of the grant/project be given a copy of the statement required by paragraph (a);

Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant/project, the employee will:

abide by the terms of the statement; and

notify the employer in writing of his/her conviction for a violation of a criminal drug statute occurring in the workplace no later than five (5) calendar days after such conviction;

Notifying the federal agency in writing, within ten (10) calendar days after receiving notice under subparagraph (d)(2) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to every project office or other designee on whose grant/project activity the convicted employees were working, unless the federal agency has designated a central point for the receipt of such notices. Notice shall include the identification number(s) of each affected grant/project.



Taking one of the following actions, within thirty(30) calendar days of receiving notice under subparagraph (d)(2), with respect to any employee who is so convicted:

taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or

requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a federal, state or local health, law enforcement or other appropriate agency;

Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (a), (b), (c), (d), (e) and (f).

### **Buy America Act**

The State will comply with the provisions of the Buy America Act (23 USC 101 Note), which contains the following requirements:

Only steel, iron and manufactured products produced in the United States may be purchased with Federal funds unless the Secretary of Transportation determines that such domestic purchases would be inconsistent with the public interest; that such materials are not reasonably available and of a satisfactory quality; or that inclusion of domestic materials will increase the cost of the overall project contract by more than 25 percent. Clear justification for the purchase of non-domestic items must be in the form of a waiver request submitted to and approved by the Secretary of Transportation.

### **Political Activity (Hatch Act)**

The State will comply with the provisions of 5 U.S.C. §§ 1501-1508 and implementing regulations of 5 CFR Part 151, concerning "Political Activity of State or Local Offices, or Employees".

### **Certifications Regarding Federal Lobbying**

Certification for Contracts, Grants, Loans, and Cooperative Agreements

The undersigned certifies, to the best of his or her knowledge and belief, that:

(1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

(2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

(3) The undersigned shall require that the language of this certification be included in the award documents for all sub-award at all tiers (including subcontracts, subgrants, and contracts under grant, loans, and cooperative agreements) and that all sub recipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

#### Restriction on State Lobbying

None of the funds under this program will be used for any activity specifically designed to urge or influence a State or local legislator to favor or oppose the adoption of any specific legislative proposal pending before any State or local legislative body. Such activities include both direct and indirect (e.g., "grassroots") lobbying activities, with one exception. This does not preclude a State official whose salary is supported with NHTSA funds from engaging in direct communications with State or local legislative officials, in accordance with customary State practice, even if such communications urge legislative officials to favor or oppose the adoption of a specific pending legislative proposal.

### **Certification Regarding Debarment and Suspension**

#### Instructions for Primary Certification

1. By signing and submitting this proposal, the prospective primary participant is providing the certification set out below.

2. The inability of a person to provide the certification required below will not necessarily result in denial of participation in this covered transaction. The prospective participant shall submit an explanation of why it cannot provide the certification set out below. The certification or explanation will be considered in connection with the department or agency's determination whether to enter into this transaction. However, failure of the prospective primary participant to furnish a certification or an explanation shall disqualify such person from participation in this transaction.
3. The certification in this clause is a material representation of fact upon which reliance was placed when the department or agency determined to enter into this transaction. If it is later determined that the prospective primary participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department or agency may terminate this transaction for cause or default.
4. The prospective primary participant shall provide immediate written notice to the department or agency to which this proposal is submitted if at any time the prospective primary participant learns its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
5. The terms covered transaction, debarred, suspended, ineligible, lower tier covered transaction, participant, person, primary covered transaction, principal, proposal, and voluntarily excluded, as used in this clause, have the meaning set out in the Definitions and coverage sections of 49 CFR Part 29. You may contact the department or agency to which this proposal is being submitted for assistance in obtaining a copy of those regulations.
6. The prospective primary participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under 48 CFR Part 9, subpart 9.4, debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency entering into this transaction.
7. The prospective primary participant further agrees by submitting this proposal that it will include the clause titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion-Lower Tier Covered Transaction," provided by the department or agency entering into this covered transaction, without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions.
8. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not proposed for debarment under 48 CFR Part 9, subpart 9.4, debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals.

Each participant may, but is not required to, check the list of Parties Excluded from Federal Procurement and Non-procurement Programs.

9. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.

10. Except for transactions authorized under paragraph 6 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is proposed for debarment under 48 CFR Part 9, subpart 9.4, suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency may terminate this transaction for cause or default.

**Certification Regarding Debarment, Suspension, and Other Responsibility Matters-  
Primary Covered Transactions**

(1) The prospective primary participant certifies to the best of its knowledge and belief, that its principals:

(a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded by any Federal department or agency;

(b) Have not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of record, making false statements, or receiving stolen property;

(c) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or Local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and

(d) Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State, or local) terminated for cause or default.

(2) Where the prospective primary participant is unable to certify to any of the Statements in this certification, such prospective participant shall attach an explanation to this proposal.

**Instructions for Lower Tier Certification**

1. By signing and submitting this proposal, the prospective lower tier participant is providing the certification set out below.

2. The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.
3. The prospective lower tier participant shall provide immediate written notice to the person to which this proposal is submitted if at any time the prospective lower tier participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
4. The terms covered transaction, debarred, suspended, ineligible, lower tier covered transaction, participant, person, primary covered transaction, principal, proposal, and voluntarily excluded, as used in this clause, have the meanings set out in the Definition and Coverage sections of 49 CFR Part 29. You may contact the person to whom this proposal is submitted for assistance in obtaining a copy of those regulations.
5. The prospective lower tier participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under 48 CFR Part 9, subpart 9.4, debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency with which this transaction originated.
6. The prospective lower tier participant further agrees by submitting this proposal that it will include the clause titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion -- Lower Tier Covered Transaction," without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions. (See below)
7. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not proposed for debarment under 48 CFR Part 9, subpart 9.4, debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the List of Parties Excluded from Federal Procurement and Non-procurement Programs.
8. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.

9. Except for transactions authorized under paragraph 5 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is proposed for debarment under 48 CFR Part 9, subpart 9.4, suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.

**Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion**  
**-- Lower Tier Covered Transactions:**

1. The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.

2. Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

**Environmental Impact**

The Governor's Representative for Highway Safety has reviewed the State's Fiscal Year **2006** highway safety planning document and hereby declares that no significant environmental impact will result from implementing this Highway Safety Plan. If, under a future revision, this Plan will be modified in such a manner that a project would be instituted that could affect environmental quality to the extent that a review and statement would be necessary, this office is prepared to take the action necessary to comply with the National Environmental Policy Act of 1969 (42 USC 4321 et seq.) and the implementing regulations of the Council on Environmental Quality (40 CFR Parts 1500-1517).

---

**Anne H. Jordan, Commissioner, DPS and  
Governor's Representative for Highway Safety  
August 26, 2008**